

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

CASE NO. 1:07 cv 06286-GBC

JUSTA C. MORALES, as personal  
representative of the estate of  
GUSTAVO A. MORALES,

Plaintiff,

v.

CITIGROUP, INC. f/k/a THE NATIONAL  
CITY BANK OF NEW YORK,

Defendant.

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CITIGROUP, INC. and CITIBANK, N.A. f/k/a  
THE NATIONAL CITY BANK OF NEW YORK,

Counter-plaintiffs,

v.

JUSTA C. MORALES, as personal representative  
Of the ESTATE OF GUSTAVO A. MORALES,  
JANE DOES I-X, and JOHN DOES I-X

Counter-defendants.

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**ORDER GRANTING COUNTER-PLAINTIFFS CITIGROUP, INC. AND CITIBANK,  
N.A.'S MOTION TO SERVE THEIR COUNTERCLAIM BY PUBLICATION ON  
COUNTER-DEFENDANTS JANE DOES I – X AND JOHN DOES I – X**

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THIS CAUSE came before the Court upon Defendant/Counter-Plaintiffs Citigroup, Inc. and Citibank, N.A.'s<sup>1</sup> Motion to Serve Their Counterclaim by Publication on Counter-Defendants Jane Does I – X and John Does I – X ("the Does").

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<sup>1</sup> Defendant/Counter-Plaintiffs Citigroup, Inc. and Citibank, N.A. shall collectively be referred to as "Citi."

The Court having considered the Motion, and otherwise being fully advised in the premises, it is hereby ORDERED AND ADJUDGED that:

Defendant/Counter-Plaintiffs' Motion is GRANTED;

Citi is to, within five (5) business days from the date of this Order, serve the Does with Counterclaim for Interpleader and requiring the Does to appear and plead;

Citi is to serve the Does by publishing a notice in the New York Times, the Daily Business Review in Miami, Florida, and the El Nuevo Herald in Miami, Florida, once a week for six (6) consecutive weeks; and

The notice shall provide that the Does appear and plead by no later than ten (10) business days from their notification of Citi's Counterclaim.

The notice is to be printed in both English and Spanish and is to read as follows:

**NOTICE OF ACTION  
CONSTRUCTIVE SERVICE**  
*JUSTA MORALES, etc., v. CITIGROUP, INC. f/k/a  
THE NATIONAL CITY BANK OF NEW YORK  
Case No. 07-cv-06286 GBC*

*To: any unknown spouse, heirs, or other parties claiming by, through, under or against any known or unknown person who is known to be dead or is not known to be either dead or alive, and all parties having or claiming to have any right, title, or interest in the Estate of Jose Domingo Morales Morales or specifically anyone with ownership of the shares of stock in Citibank, N.A. f/k/a The National City Bank of New York*

*YOU ARE HEREBY NOTIFIED that a Counterclaim for Interpleader has been filed against you to determine the ownership of those certain shares of stock in Citibank, N.A. owned by Jose Domingo Morales Morales and you are required to serve a copy of your written defenses, if any, on Edward M. Mullins, Esq., Counter-Plaintiffs' counsel, whose address is: 701 Brickell Avenue, Suite 1650, Miami, FL 33131 within ten (10) business days of your notification of the Counterclaim and file the original with the Clerk of this Court either before service on Defendants' counsel or immediately thereafter.*

DONE AND ORDERED in Chambers at New York, New York this \_\_\_\_\_ day of October,  
2007.

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GEORGE B. DANIELS  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF NEW YORK

Copies furnished to:  
Edward M. Mullins, Esq.  
Omar Ortega, Esq.  
Chief Counsel, Office of Foreign Assets Control